

SENATE BILL No. 122

DIGEST OF INTRODUCED BILL

Citations Affected: IC 5-10-8-14; IC 27-8-24.2; IC 27-13-7-19.

Synopsis: Coverage for stereotactic radiotherapy. Requires a state employee health benefit plan, a policy of accident and sickness insurance, and a health maintenance organization contract to provide coverage for stereotactic radiotherapy. (The introduced version of this bill was prepared by the health finance commission.)

Effective: July 1, 2008.

Dillon

January 8, 2008, read first time and referred to Committee on Health and Provider Services.

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Second Regular Session 115th General Assembly (2008)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2007 Regular Session of the General Assembly.

SENATE BILL No. 122

A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 5-10-8-14 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2008]: **Sec. 14. (a) As used in this section, "covered individual"**
4 **means an individual who is entitled to coverage under a state**
5 **employee health benefit plan.**

6 **(b) As used in this section, "state employee health benefit plan"**
7 **means a:**

8 **(1) self-insurance program established under section 7(b) of**
9 **this chapter; or**

10 **(2) contract with a prepaid health care delivery plan that is**
11 **entered into or renewed under section 7(c) of this chapter;**
12 **to provide group health coverage.**

13 **(c) As used in this section, "stereotactic radiotherapy" means a**
14 **method of three-dimensional planning and delivery of stereotactic**
15 **and convergent beam technologies to deliver a prescribed dose of**
16 **ionizing radiation to a precise intracranial or noncranial location**
17 **in the body. The term includes stereotactic radiosurgery and**



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1 stereotactic body radiation therapy.

2 (d) A state employee health benefit plan must provide coverage
3 for stereotactic radiotherapy to the same extent that stereotactic
4 radiotherapy is covered under the federal Medicare program (42
5 U.S.C. 1395 et seq.).

6 (e) The coverage required under this section may not be subject
7 to dollar limits, deductibles, copayments, or coinsurance provisions
8 that are less favorable to a covered individual than the dollar
9 limits, deductibles, copayments, or coinsurance provisions applying
10 to other coverage generally under the state employee health benefit
11 plan.

12 SECTION 2. IC 27-8-24.2 IS ADDED TO THE INDIANA CODE
13 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
14 JULY 1, 2008]:

15 **Chapter 24.2. Coverage for Stereotactic Radiotherapy**

16 **Sec. 1.** As used in this chapter, "insured" means an individual
17 who is entitled to coverage under a policy of accident and sickness
18 insurance.

19 **Sec. 2. (a)** As used in this chapter, "policy of accident and
20 sickness insurance" has the meaning set forth in IC 27-8-5-1.

21 (b) The term does not include the following:

- 22 (1) Accident only, credit, dental, vision, Medicare, Medicare
23 supplement, long term care, or disability income insurance.
- 24 (2) Coverage issued as a supplement to liability insurance.
- 25 (3) Automobile medical payment insurance.
- 26 (4) A specified disease policy.
- 27 (5) A limited benefit health insurance policy.
- 28 (6) A short term insurance plan that:
29 (A) may not be renewed; and
30 (B) has a duration of not more than six (6) months.
- 31 (7) A policy that provides a stipulated daily, weekly, or
32 monthly payment to an insured during hospital confinement,
33 without regard to the actual expense of the confinement.
- 34 (8) Worker's compensation or similar insurance.
- 35 (9) A student health insurance policy.

36 **Sec. 3.** As used in this chapter, "stereotactic radiotherapy"
37 means a method of three-dimensional planning and delivery of
38 stereotactic and convergent beam technologies to deliver a
39 prescribed dose of ionizing radiation to a precise intracranial or
40 noncranial location in the body. The term includes stereotactic
41 radiosurgery and stereotactic body radiation therapy.

42 **Sec. 4.** A policy of accident and sickness insurance must provide

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1 coverage for stereotactic radiotherapy to the same extent that
 2 stereotactic radiotherapy is covered under the federal Medicare
 3 program (42 U.S.C. 1395 et seq.).

4 **Sec. 5. The coverage that must be provided under this chapter**
 5 **may not be subject to dollar limits, coinsurance, or deductibles that**
 6 **are less favorable to an insured than the dollar limits, coinsurance,**
 7 **or deductibles that apply to other coverage under the policy of**
 8 **accident and sickness insurance.**

9 SECTION 3. IC 27-13-7-19 IS ADDED TO THE INDIANA CODE
 10 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 11 1, 2008]: **Sec. 19. (a) As used in this section, "stereotactic**
 12 **radiotherapy" means a method of three-dimensional planning and**
 13 **delivery of stereotactic and convergent beam technologies to**
 14 **deliver a prescribed dose of ionizing radiation to a precise**
 15 **intracranial or noncranial location in the body. The term includes**
 16 **stereotactic radiosurgery and stereotactic body radiation therapy.**

17 **(b) An individual contract or a group contract must provide**
 18 **coverage for stereotactic radiotherapy to the same extent that**
 19 **stereotactic radiotherapy is covered under the federal Medicare**
 20 **program (42 U.S.C. 1395 et seq.).**

21 **(c) The coverage that must be provided under this section may**
 22 **not be subject to dollar limits, copayments, or deductibles that are**
 23 **less favorable to an enrollee than the dollar limits, copayments, or**
 24 **deductibles that apply to other coverage under the individual**
 25 **contract or group contract.**

26 SECTION 4. [EFFECTIVE JULY 1, 2008] **(a) IC 5-10-8-14, as**
 27 **added by this act, applies to a state employee health benefit plan**
 28 **that is established, entered into, delivered, amended, or renewed**
 29 **after June 30, 2008.**

30 **(b) IC 27-8-24.2, as added by this act, applies to a policy of**
 31 **accident and sickness insurance that is issued, delivered, amended,**
 32 **or renewed after June 30, 2008.**

33 **(c) IC 27-13-7-19, as added by this act, applies to an individual**
 34 **contract or a group contract that is entered into, delivered,**
 35 **amended, or renewed after June 30, 2008.**

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